

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

SAMUEL A. SCHWARTZ,

Plaintiff,

v.

No. 07 C 6963

ABN AMRO MORTGAGE GROUP, INC.
and CITIMORTGAGE, INC.,

Defendants.

**DEFENDANTS' ABN AMRO MORTGAGE GROUP, INC. AND CITIMORTGAGE,
INC.'S MOTION TO DISMISS**

Defendants ABN AMRO Mortgage Group, Inc. ("AAMG") and Citimortgage, Inc. ("Citi") hereby move pursuant to Federal Rule of Civil Procedure 12(b)(6) to dismiss the Complaint of Plaintiff Samuel Schwartz in its entirety. In support thereof, AAMG and Citi submit the accompanying memorandum in support, filed contemporaneously herewith.

DATED: January 15, 2008

Respectfully submitted,

ABN AMRO MORTGAGE GROUP, INC.
AND CITIMORTGAGE, INC.

By: s/ Jeffrey M. Heftman

One of Their Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2008, I electronically filed the foregoing **Defendants' ABN AMRO Mortgage Group, Inc. and Citimortgage, Inc.'s Motion to Dismiss** with the Clerk of the Court using the CM/ECF system and have served same on:

Samuel A. Schwartz, Esq.
3960 Howard Hughes Parkway
Suite 500
Las Vegas, Nevada 89169

via facsimile transmission and by depositing the same in the U.S. mail, first-class postage prepaid, at 222 North LaSalle Street, Chicago, Illinois 60601-1003 by 5:00 p.m. on January 15, 2008.

s/ Jeffery M. Heftman